

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7643

Application of Park Place Housing Limited                    )  
Partnership for an Amended Certificate of Public            )  
Good authorizing the installation and operation of a        )  
renewable energy plant pursuant to 30 V.S.A.                )  
§ 8007(a)    )

Order entered: 10/6/2011

**I. INTRODUCTION**

This case involves an application filed by Park Place Housing Limited Partnership ("Applicant"), on August 30, 2011, requesting an Amended Certificate of Public Good ("CPG"), pursuant to 30 V.S.A. §§ 219a, 248, and 8007(a), and Vermont Public Service Board ("Board") Rule 5.100, for a roof-mounted photovoltaic electric generating facility.<sup>1</sup> On August 4, 2010, the Board issued a CPG to the Applicant for a 34.086 kW AC roof-mounted photovoltaic facility. The Applicant is now seeking an amendment to the CPG to reflect a decrease in system-rated capacity to 13.765 kW AC, a reduction of 20.321 kW AC.

Pursuant to Section 8007(a):

The same application form, rules, and procedures that the board applies to net metering systems of 150 kilowatts (kW) or less under sections 219a and 248 of this title shall apply to the review under section 248 of this title of any renewable energy plant with a plant capacity of 150 kW or less and to the interconnection of such a plant with the system of a Vermont retail electricity provider.

The application form, rules and procedures for net metering systems are specified in Board Rule 5.100.

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1. The July 7, 2010, application also appears to request pre-approval as a group net metering system following the cessation of the twenty-year standard-offer contract. The Board declines to grant approval of such an application at this time. Should the Applicant wish to engage in net metering in the future, the Applicant should file an application at that time.

Notice of the application has been sent to all parties as specified in the Board's Rule 5.100. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within ten (10) working days of the date that the notice of the application was sent.

No comments have been received from any parties or interested persons.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a, 248, 8007(a), and Board Rule 5.100, an amended CPG should be issued without further investigation or hearing.

## **II. FINDINGS**

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed project will be on property owned by the Applicant and located at 123 St. Paul Street in Burlington, Vermont. Application at Section 1.
2. The proposed generating facility is to be erected on the roof of an existing structure. Application at Section 4.
3. The proposed project consists of a photovoltaic electrical generation system with a system-rated output of 13.765 kW AC. The facility will be interconnected with the City of Burlington Electric Department electrical distribution system. Application at Section 4 and attachment.
4. The proposed project is being developed under the Sustainably Priced Energy Enterprise Development ("SPEED") standard-offer program. A standard-offer contract has been executed between the SPEED Facilitator and the Applicant. *See* attached letter from SPEED Facilitator dated July 7, 2010.
5. Applicant has certified that the project is in compliance with all of the provisions of Section 3 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Section 3.

6. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

### **III. DISCUSSION AND CONCLUSION**

Pursuant to § 8007(a), all small renewable energy plants of 150 kW or less in capacity may utilize the streamlined application and interconnection procedures developed for net metering systems under Section 219a and Board Rule 5.100.

Based upon the findings and evidence, the proposed small renewable energy project meets the requirements of Board Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the state.

Today's Order is limited to the issue of amending the CPG. The Applicant is reminded that, pursuant to the terms of the standard-offer contract, a standard-offer project must be constructed "in a manner substantially consistent with the description set forth in Attachment A" to the standard-offer contract. In an October 16, 2009, Order regarding standard-offer program implementation issues, the Board determined that for a standard-offer project to be "substantially consistent" with the description, the project's capacity may be altered by no more than 5% or 5 kW, whichever is greater.<sup>2</sup> Because the proposed amendment exceeds this allowance, the Applicant will not be allowed to sell the project power under the standard-offer contract unless the contract is amended to reflect the reduced size of the project. If the Applicant seeks to amend the standard-offer contract, the Applicant must submit a formal request to the Board, and the Board will issue a decision after allowing opportunity to comment on the requested standard-offer contract amendment.

### **IV. ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board ("Board") of the State of Vermont that:

1. The proposed photovoltaic system, as amended and in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont

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2. See *In re: Establishment of a Standard Offer Program*, Docket 7533, Order of 10/16/09 at 6-7.

pursuant to 30 V.S.A. §§ 219a, 248, and 8007(a), and an Amended Certificate of Public Good to that effect shall be issued in this matter

2. Construction, operation, and maintenance of the proposed project shall be in accordance with the plans and representations as submitted in this proceeding. Any material deviation from these plans must be approved by the Board.

3. The photovoltaic system shall comply with applicable existing and future statutory requirements and Board Rules and Orders.

DATED at Montpelier, Vermont, this 6<sup>th</sup> day of October, 2011.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

Filed: October 6, 2011

Attest: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*